

## **EXHIBIT D**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In the Matter of )  
IN RE: SUBPOENA TO HOSIDEN AMERICA ) Case No.: 07 C 6458  
CORPORATION )  
HONEYWELL INTERNATIONAL, INC., et al., ) Judge Ruben Castillo  
Plaintiffs, ) Magistrate Judge Schenkier  
v. )  
APPLE COMPUTER, et al., )  
Defendants. )

**DECLARATION OF KAZUMA HIGUCHI**

I, Kazuma Higuchi, declare under penalty of perjury as follows:

1. I am qualified as a Japanese attorney under the laws of Japan, and as such, I am familiar with the corporate laws of Japan, as well as laws pertaining to litigation and discovery of documents under Japanese law.
2. In connection with my opinion herein, I have examined the following documents:
  - (a) Subpoena in a Civil Case, captioned as *Honeywell International Inc. and Honeywell Intellectual Properties, Inc. v. Apple Computer, et al.*, signed by Fujifilm Corporation on September 10, 2007 and sent from Fujifilm Corporation to Hosiden Corporation c/o Hosiden America Corp.; and

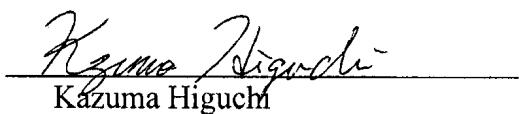
(b) Subpoena in a Civil Case, captioned as *Honeywell International Inc. and Honeywell Intellectual Properties, Inc. v. Apple Computer, et al.*, signed by Fujifilm Corporation on September 28, 2007 and sent from Fujifilm Corporation to Hosiden America Corporation.

3. I have researched the laws of Japan to confirm the basis of my opinion.

4. Based upon my legal research, and also based upon my knowledge and practice of law in Japan, it is with certainty that I can attest to the fact that in Japan, subsidiary corporations do not have a legal right to compel a parent corporation to produce any of the categories of requested documents in the subpoenas I reviewed in connection with this case.

5. In addition, subsidiary corporations have no right under the law of Japan to inspect a parent corporation's files or other tangible things for the categories of documents requested in the subpoenas I reviewed in connection with this case.

I declare under penalty of perjury that the foregoing is true and correct.



Kazuma Higuchi  
Kazuma Higuchi

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